

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

REBECCA KRANDLE, *individually, and  
on behalf of all others similarly situated,*

Plaintiff,

v.

REFUAH HEALTH CENTER, INC.,

Defendant.

No. 22-CV-4977 (KMK)

DAWN ESPOSITO, *and* PAOLA  
CORTAZAR, *individually, and on  
behalf of all others similarly situated,*

Plaintiffs,

v.

REFUAH HEALTH CENTER, INC.,

Defendant.

No. 22-CV-5039 (KMK)

ORDER

KENNETH M. KARAS, District Judge:

In their motion to substitute briefing, the Parties and the United States debate whether maintaining the confidentiality of patient data is a “medical . . . or related function[]” for the purposes of 42 U.S.C. § 233. Without deciding, but assuming, that confidentiality *is* such a function, the Court would like the Parties and the United States to address whether that function includes protecting patient data from breaches by third parties, or whether it is limited to protecting against unauthorized disclosure by the deemed Public Health Service entity.

The Parties’ and the United States’ submissions shall be no longer than 10 pages and are due no later than February 9, 2024.

SO ORDERED.

DATED: January 25, 2024  
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', is positioned above a horizontal line.

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KENNETH M. KARAS  
United States District Judge